

**AMENDMENTS TO THE CLAIMS**

Claims 1-28 (Canceled)

29. (New) A vehicle surroundings monitoring apparatus comprising:

first means for detecting at least solid object information ahead of an own vehicle;

second means for estimating a travel path of the own vehicle;

third means for recognizing a preceding vehicle traveling in front of the travel path of the own vehicle based on the solid object information;

fourth means for judging whether there is any forward traveling object, which travels in the same direction as the own vehicle, other than the preceding vehicle based on the solid object information;

fifth means for setting a judging counter expressing numerically the possibility of evacuation of the preceding vehicle, the judging counter set in response to a lengthwise distance (Z) of the preceding vehicle from the own vehicle a widthwise distance (CAL) of the preceding vehicle has been recognized;

sixth means for increasing the judging counter in a case where any forward traveling object other than the preceding vehicle has been judged;

seventh means for judging whether the increased judging counter is larger than a threshold value; and

eighth means for judging that the preceding vehicle is not traveling in front of the travel path of the own vehicle in a case where the increased judging counter is larger than the threshold value and outputting a signal.

30. (New) The vehicle surroundings monitoring apparatus according to claim 29, wherein the judging counter is cleared when the lengthwise distance is farther than a preestablished distance.

31. (New) The vehicle surroundings monitoring apparatus according to claim 29, wherein the judging counter is increased when the preceding vehicle is in a vehicle evacuation region which is established in predetermined left and right areas around the travel path of the own vehicle at a plurality of distance divisions ahead of the own vehicle.

32. (New) The vehicle surroundings monitoring apparatus according to claim 31, wherein the distance divisions comprise a first division near the own vehicle, a second division in front of the first division and a third division in front of the second division.

33. (New) A travel control system for controlling the travel of an own vehicle at least based on the output signal from the vehicle surroundings monitoring apparatus described in claim 29.